



General Assembly

February Session, 2016

Raised Bill No. 5550

LCO No. 2611



Referred to Committee on EDUCATION

Introduced by:
(ED)

***AN ACT CONCERNING VARIOUS REVISIONS AND ADDITIONS TO
THE EDUCATION STATUTES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-14n of the 2016 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 (a) As used in this section, "mastery examination" means (1) for
5 students enrolled in grades three to eight, inclusive, an examination or
6 examinations, approved by the State Board of Education, that
7 measures essential and grade-appropriate skills in reading, writing or
8 mathematics, (2) for students enrolled in grades five, eight and ten, an
9 examination, approved by the State Board of Education, that measures
10 essential and grade-appropriate skills in science, and (3) for students
11 enrolled in grade eleven, a nationally recognized college readiness
12 assessment, approved by the State Board of Education, that measures
13 essential and grade-appropriate skills in reading, writing and
14 mathematics.

15 (b) (1) For the school year commencing July 1, 2015, and each school
16 year thereafter, each student enrolled in grades three to eight,
17 inclusive, and grade eleven in any public school shall, annually, take a
18 mastery examination in reading, writing and mathematics during the
19 regular school day.

20 (2) For the school year commencing July 1, 2013, and each school
21 year thereafter, each student enrolled in grades five, eight and ten in
22 any public school shall, annually, in March or April, take a state-wide
23 mastery examination in science during the regular school day.

24 (c) (1) Mastery examinations, as defined in subdivision (1) of
25 subsection (a) of this section, given to students enrolled in grades three
26 to eight, inclusive, pursuant to subdivision (1) of subsection (b) of this
27 section, shall be provided by and administered under the supervision
28 of the State Board of Education.

29 (2) Mastery examinations, as defined in subdivision (2) of subsection
30 (a) of this section, given to students enrolled in grades five, eight and
31 ten, pursuant to subdivision (2) of subsection (b) of this section, shall
32 be provided by and administered under the supervision of the State
33 Board of Education.

34 (3) Mastery examinations, as defined in subdivision (3) of subsection
35 (a) of this section, given to students enrolled in grade eleven, pursuant
36 to subdivision (1) of subsection (b) of this section, shall be paid for by
37 the State Board of Education and administered by the provider of such
38 nationally recognized college readiness assessment in accordance with
39 the provisions of the agreement between the state board and such
40 provider, pursuant to section 10-14x.

41 (d) The scores on each component of the mastery examination, as
42 defined in subdivision (3) of subsection (a) of this section, for each
43 eleventh grade student may be included on the permanent record and
44 transcript of each such student who takes such examination. For each
45 eleventh grade student who meets or exceeds the state-wide mastery

46 goal level on any component of the mastery examination, a
47 certification of having met or exceeded such goal level shall be made
48 on the permanent record and the transcript of each such student and
49 such student shall be issued a certificate of mastery for such
50 component.

51 (e) No public school may require achievement of a satisfactory score
52 on a mastery examination, or any subsequent retest on a component of
53 such examination as the sole criterion of promotion or graduation.

54 (f) (1) For the school year commencing July 1, 2015, and each school
55 year thereafter, the scores on each component of the mastery
56 examination for students who are English language learners, as
57 defined in section 10-76kk, and who have been enrolled in a school in
58 this state or another state for fewer than twenty school months, shall
59 not be used for purposes of calculating the [school performance index,
60 pursuant to section 10-223e, or the district performance index,
61 pursuant to section 10-262u] accountability index score, as defined in
62 section 10-223e, for a school or school district.

63 (2) For the school year commencing July 1, 2015, and each school
64 year thereafter, mastery examinations pursuant to subsection (b) of
65 this section shall be offered in the most common native language of
66 students who are English language learners taking such mastery
67 examinations and any additional native languages of such students
68 when mastery examinations in such native languages are developed
69 and have been approved by the United States Department of
70 Education.

71 (g) Not later than July fifteenth of each school year, the Department
72 of Education shall notify each local and regional board of education of
73 the scores of students under the jurisdiction of the board on the
74 mastery examination administered during the previous school year.

75 Sec. 2. Subsection (g) of section 10-145b of the 2016 supplement to
76 the general statutes is repealed and the following is substituted in lieu

77 thereof (*Effective July 1, 2016*):

78 (g) On or after July 1, 1989, and prior to July 1, [2016] 2018, to
79 qualify for a professional educator certificate, a person who holds or
80 has held a provisional educator certificate under subsection (e) of this
81 section shall have completed thirty credit hours of course work beyond
82 the baccalaureate degree. It is not necessary that such course work be
83 taken for a master's degree and such work may include graduate or
84 undergraduate courses. On and after July 1, [2016] 2018, to qualify for
85 a professional educator certificate, a person who holds or has held a
86 provisional educator certificate under subsection (d) of this section
87 shall hold a master's degree in an appropriate subject matter area, as
88 determined by the State Board of Education, related to such teacher's
89 certification endorsement area.

90 Sec. 3. Subdivision (7) of section 10-144o of the 2016 supplement to
91 the general statutes is repealed and the following is substituted in lieu
92 thereof (*Effective July 1, 2016*):

93 (7) "Professional educator certificate" means a license to teach issued
94 on or after July 1, 1989, initially to a person who has successfully
95 completed not less than three school years of teaching in a public
96 school or nonpublic school approved by the State Board of Education
97 while holding a provisional educator or provisional teaching certificate
98 and prior to July 1, [2016] 2018, has successfully completed not fewer
99 than thirty semester hours of credit beyond a bachelor's degree, and on
100 and after July 1, [2016] 2018, holds a master's degree in an appropriate
101 subject matter area, as determined by the State Board of Education,
102 related to such person's certification endorsement area. Said certificate
103 shall be continued every five years after issuance;

104 Sec. 4. Subdivision (2) of subsection (a) of section 10-198c of the 2016
105 supplement to the general statutes is repealed and the following is
106 substituted in lieu thereof (*Effective July 1, 2016*):

107 (2) "Absence" means [(A)] an excused absence, unexcused absence

108 or disciplinary absence, as those terms are defined by the State Board
109 of Education pursuant to section 10-198b; [, or (B) an in-school
110 suspension, as defined in section 10-233a, that is greater than or equal
111 to one-half of a school day;]

112 Sec. 5. Subsection (j) of section 10-223h of the 2016 supplement to
113 the general statutes is repealed and the following is substituted in lieu
114 thereof (*Effective July 1, 2016*):

115 (j) (1) [The] Not later than September 15, 2016, and annually
116 thereafter, the Commissioner of Education shall [annually] submit a
117 report on the academic performance of each school participating in the
118 commissioner's network of schools to the joint standing committee of
119 the General Assembly having cognizance of matters relating to
120 education, in accordance with the provisions of section 11-4a. Such
121 report shall include, but not be limited to, (A) the accountability index
122 score, as defined in section 10-223e, for such school, (B) trends for the
123 accountability index scores during the period that such school is
124 participating in the commissioner's network of schools, (C)
125 adjustments for subgroups of students at such school, including, but
126 not limited to, students whose primary language is not English,
127 students receiving special education services and students who are
128 eligible for free or reduced price lunches, and (D) performance
129 evaluation results in the aggregate for teachers and administrators at
130 such school.

131 (2) [The] Not later than September 15, 2016, and annually thereafter,
132 the Commissioner of Education shall [annually] submit a report
133 comparing and analyzing the academic performance of all the schools
134 participating in the commissioner's network of schools to the joint
135 standing committee of the General Assembly having cognizance of
136 matters relating to education, in accordance with the provisions of
137 section 11-4a. Such report shall include, but not be limited to, (A) the
138 accountability index score, as defined in section 10-223e, for the school,
139 (B) trends for the accountability indices during the period that such

140 schools are participating in the commissioner's network of schools, (C)
141 adjustments for subgroups of students at such schools, including, but
142 not limited to, students whose primary language is not English,
143 students receiving special education services and students who are
144 eligible for free or reduced price lunches, and (D) performance
145 evaluation results in the aggregate for teachers and administrators at
146 such schools.

147 (3) [Following] Not later than September fifteenth following the
148 expiration of the turnaround plan for each school participating in the
149 commissioner's network of schools, the commissioner shall submit a
150 final report that (A) evaluates such turnaround plan and the academic
151 performance of such school during the period that such turnaround
152 plan was in effect, and (B) makes recommendations for the operation
153 of such school to the joint standing committee of the General Assembly
154 having cognizance of matters relating to education, in accordance with
155 the provisions of section 11-4a.

156 (4) Not later than January 1, 2020, the commissioner shall submit a
157 report (A) evaluating the commissioner's network of schools and its
158 effect on improving student academic achievement in participating
159 schools, and (B) making any recommendations for the continued
160 operation of the commissioner's network of schools to the joint
161 standing committee of the General Assembly having cognizance of
162 matters relating to education, in accordance with the provisions of
163 section 11-4a.

164 Sec. 6. Subsection (a) of section 10-214 of the 2016 supplement to the
165 general statutes is repealed and the following is substituted in lieu
166 thereof (*Effective July 1, 2016*):

167 (a) Each local or regional board of education shall provide annually
168 to each pupil in kindergarten and grades one and three to five,
169 inclusive, a vision screening, using a Snellen chart, or equivalent
170 screening. The superintendent of schools shall give written notice to

171 the parent or guardian of each pupil (1) who is found to have any
172 defect of vision or disease of the eyes, with a brief statement describing
173 such defect or disease and a recommendation for the pupil to be
174 examined by a licensed optometrist or ophthalmologist, and (2) who
175 did not receive such vision screening, with a brief statement explaining
176 why such pupil did not receive such vision screening.

177 Sec. 7. Subsection (c) of section 10-91g of the 2016 supplement to the
178 general statutes is repealed and the following is substituted in lieu
179 thereof (*Effective from passage*):

180 (c) The Auditors of Public Accounts shall conduct the audit
181 described in subsection (b) of this section as follows: (1) [At least once
182 for each private provider] Using a risk-based approach, audits of
183 private providers of special education services [during a period of
184 seven years] will occur at a frequency the Auditors of Public Accounts
185 deem necessary, except that no private provider of special education
186 services shall have its records and accounts so examined more than
187 once during such five-year period, unless the auditors have found a
188 problem with the records and accounts of such private provider of
189 special education services during such five-year period; (2) as practical,
190 [approximately half of such] audits conducted in a year shall be of
191 private providers of special education services approved by the
192 Department of Education and [approximately half of such audits
193 conducted in such year shall be] of private providers of special
194 education services not approved by the Department of Education; and
195 (3) priority of conducting such audits, as practical, shall be given to
196 those private providers of special education services (A) that receive
197 the greatest total amount of state or local funds for the provision of
198 special education services to students, (B) that provide special
199 education services to the highest number of students for whom an
200 individual services plan has been written by a local or regional board
201 of education, and (C) that have a highest proportion of state and local
202 funds for the provision of special education services in relation to their
203 total operational expenses.

204 Sec. 8. Section 10-91h of the 2016 supplement to the general statutes
205 is repealed and the following is substituted in lieu thereof (*Effective*
206 *from passage*):

207 Each local and regional board of education shall annually provide to
208 the Auditors of Public Accounts (1) the number of students under the
209 jurisdiction of such board of education who receive special education
210 and related services from a private provider of special education
211 services, as defined in section 10-91g, as amended by this act, [and] (2)
212 the amount of money paid to such private providers of special
213 education services by the board during the previous fiscal year, and (3)
214 any other information the Auditors of Public Accounts deem necessary
215 to conduct an audit of such private providers of special education
216 services pursuant to section 10-91g, as amended by this act.

217 Sec. 9. Subsection (i) of section 2-90 of the 2016 supplement to the
218 general statutes is repealed and the following is substituted in lieu
219 thereof (*Effective from passage*):

220 (i) Said auditors shall audit, in accordance with the provisions of
221 section 10-91g, as amended by this act, the records and accounts of any
222 private provider of special education services, as defined in said
223 section. Any private provider of special education services being
224 audited by said auditors shall provide any information said auditors
225 deem necessary to conduct such audit.

226 Sec. 10. Subsection (a) of section 10-16nn of the general statutes is
227 repealed and the following is substituted in lieu thereof (*Effective from*
228 *passage*):

229 (a) There is established an Interagency Council for Ending the
230 Achievement Gap. The council shall consist of: (1) The Lieutenant
231 Governor, or the Lieutenant Governor's designee, (2) the
232 Commissioner of Education, or the commissioner's designee, (3) the
233 Commissioner of Children and Families, or the commissioner's
234 designee, (4) the Commissioner of Social Services, or the

235 commissioner's designee, (5) the Commissioner of Public Health, or the
236 commissioner's designee, (6) the president of the Board of Regents for
237 Higher Education, or the president's designee, (7) the Commissioner of
238 Economic and Community Development, or the commissioner's
239 designee, (8) the Commissioner of Administrative Services, or the
240 commissioner's designee, (9) the Secretary of the Office of Policy and
241 Management, or the secretary's designee, [and] (10) the Commissioner
242 of Housing, or the commissioner's designee, and (11) the Chief Court
243 Administrator, or the Chief Court Administrator's designee. The
244 chairperson of the council shall be the Lieutenant Governor, or the
245 Lieutenant Governor's designee. The council shall meet at least
246 quarterly.

247 Sec. 11. Subsection (h) of section 10-145d of the 2016 supplement to
248 the general statutes is repealed and the following is substituted in lieu
249 thereof (*Effective July 1, 2016*):

250 (h) Any person who is a licensed marital and family therapist,
251 pursuant to section 20-195c, or a candidate for licensure as a marital
252 and family therapist, and employed by a local or regional board of
253 education as a marital and family therapist shall provide services to
254 students, families and parents or guardians of students. Not later than
255 July 1, 2014, the State Board of Education shall, in accordance with the
256 provisions of chapter 54, adopt regulations to implement the
257 provisions of this subsection and provide standards for the
258 certification of marital and family therapists employed by local or
259 regional boards of education. Such regulations shall authorize marital
260 and family therapists employed by a local or regional board of
261 education to provide services to students, families and parents or
262 guardians of students and include certification requirements to be met
263 by (1) licensure as a marital and family therapist under section 20-195c,
264 and (2) such other experience as the State Board of Education deems
265 appropriate for the position of marital and family therapist in a school
266 system.

267 Sec. 12. (NEW) (*Effective July 1, 2016*) A local or regional board of
268 education may establish a Pipeline for Connecticut's Future program.
269 Under the program, a local or regional board of education shall partner
270 with one or more local businesses to offer on-site training and course
271 credit to students.

272 Sec. 13. (NEW) (*Effective July 1, 2016*) (a) As used in this section:

273 (1) "Mobile electronic device" means any hand-held or other
274 portable electronic equipment capable of providing data
275 communication between two or more individuals, including, but not
276 limited to, a text messaging device, a paging device, a personal digital
277 assistant, a laptop computer, equipment that is capable of playing a
278 video game or a digital video disk, or equipment on which digital
279 images are taken or transmitted; and

280 (2) "School employee" means: (A) A teacher, substitute teacher,
281 school administrator, school superintendent, guidance counselor,
282 psychologist, social worker, nurse, physician, school paraprofessional
283 or coach employed by a local or regional board of education or a
284 private elementary, middle or high school or working in a public or
285 private elementary, middle or high school; or (B) any other person
286 who, in the performance of his or her duties, has regular contact with
287 students and who provides services to or on behalf of students
288 enrolled in (i) a public elementary, middle or high school, pursuant to
289 a contract with the local or regional board of education, or (ii) a private
290 elementary, middle or high school, pursuant to a contract with the
291 supervisory agent of such private school.

292 (b) No school employee may take custody of a student's mobile
293 electronic device for purposes of accessing any data or other content
294 stored upon or accessible from such device, or compel a student to
295 produce, display, share or provide access to any data or other content
296 stored upon or accessible from such device, except a school employee
297 may search, in accordance with the provisions of subsection (c) of this

298 section, a student's mobile electronic device if (1) the school employee
299 has a reasonable individualized suspicion that a student has violated
300 or is violating an educational policy and that such device contains
301 evidence of the suspected violation, or (2) searching such device is in
302 response to a risk of imminent personal injury to the student or others.

303 (c) A school employee may search a student's mobile electronic
304 device, pursuant to subsection (b) of this section, provided (1) such
305 device is located on school grounds, (2) the search is strictly limited to
306 finding evidence of the suspected policy violation, and (3) the school
307 employee immediately ceases searching such device upon finding
308 sufficient evidence of the suspected violation. Immediately after
309 searching such device, the school employee shall report, in writing, to
310 the principal the reasonable individualized suspicion that gave rise to
311 the search. Not later than twenty-four hours after the search, the
312 principal shall notify the student and the parent or guardian of the
313 student of the suspected violation and what data was accessed from
314 such device during the search of such device. The principal shall
315 provide a copy of the report detailing the reasonable individualized
316 suspicion that gave rise to the search.

317 (d) No school employee shall copy, share or transfer any data or any
318 information accessed on a student's mobile electronic device during a
319 search of such device that is unrelated to the suspected violation of an
320 educational policy.

321 Sec. 14. Subdivision (1) of subsection (d) of section 10-264l of the
322 2016 supplement to the general statutes is repealed and the following
323 is substituted in lieu thereof (*Effective July 1, 2016*):

324 (d) (1) Grants made pursuant to this section, except those made
325 pursuant to subdivision (6) of subsection (c) of this section and
326 subdivision (2) of this subsection, shall be paid as follows: Seventy per
327 cent not later than September first and the balance not later than May
328 first of each fiscal year. The May first payment shall be adjusted to

329 reflect actual interdistrict magnet school program enrollment as of the
 330 preceding [October] November first using the data of record as of the
 331 intervening March first, if the actual level of enrollment is lower than
 332 the projected enrollment stated in the approved grant application. The
 333 May first payment shall be further adjusted for the difference between
 334 the total grant received by the magnet school operator in the prior
 335 fiscal year and the revised total grant amount calculated for the prior
 336 fiscal year in cases where the aggregate financial audit submitted by
 337 the interdistrict magnet school operator pursuant to subdivision (1) of
 338 subsection (n) of this section indicates an overpayment by the
 339 department.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-14n
Sec. 2	<i>July 1, 2016</i>	10-145b(g)
Sec. 3	<i>July 1, 2016</i>	10-144o(7)
Sec. 4	<i>July 1, 2016</i>	10-198c(a)(2)
Sec. 5	<i>July 1, 2016</i>	10-223h(j)
Sec. 6	<i>July 1, 2016</i>	10-214(a)
Sec. 7	<i>from passage</i>	10-91g(c)
Sec. 8	<i>from passage</i>	10-91h
Sec. 9	<i>from passage</i>	2-90(i)
Sec. 10	<i>from passage</i>	10-16nn(a)
Sec. 11	<i>July 1, 2016</i>	10-145d(h)
Sec. 12	<i>July 1, 2016</i>	New section
Sec. 13	<i>July 1, 2016</i>	New section
Sec. 14	<i>July 1, 2016</i>	10-264l(d)(1)

Statement of Purpose:

To make various revisions and additions to the education statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]